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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MCDERMOTT, WILL & EMERY
Suite 3400
2049 Century Park East
Los Angeles, CA 90067

EXAMINER
LOVEL, KIMBERLY M

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/790,513	UY ET AL.
	Examiner	**Art Unit**	
	Kimberly Lovel	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2007*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the Amendment filed 16 April 2007.

2.   Claims 1-36 are pending in the current application. In the Amendment filed 16

April 2007, claims 1, 14, 16, 24 and 34 were amended. This action is Final.

3.   The rejections of claims 14-16, 18-21, 23, 24, 26, 28-32, 34 and 35 as being

anticipated by US PGPub 2003/0195815 to Li et al and claims 1-9 and 11-13 as being

unpatentable over US PGPub 2002/0120561 to Chin et al in view of US PGPub

2003/0195815 to Li et al have been maintained.

Drawings

4.   The objections to the drawings have been withdrawn as necessitated by

amendment.

Claim Objections

5.   The objections to claims 1, 14, 16, 24 are withdrawn as necessitated by

amendments and arguments.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

7.   **Claims 14-16, 18-21, 23, 24, 26, 28-32, 34 and 35 are rejected under 35**

U.S.C. 102(e) as being anticipated by US PGPub 2003/0195815 to Li et al (hereafter

Li).

Referring to claim 14, Li discloses computer readable media embodying a

program of instructions executable by a computer program to perform a method of

auditing Harmonized Tariff Schedule ("HTS") entry data for U.S. Customs data

comprising

entering an entry packet [customs information] submitted by a customs broker to

U.S. Customs into a database, the entry packet directed to a shipment for importation

(Li: see [0027] and [0028]);

storing internal records relevant to the shipment [records 175 representing the

buyers chosen classification for all the goods it imports] (Li: see [0036], lines 1-3);

providing a software user interface for comparing, at a computer terminal, the

entry packet with the internal records for discrepancies (Li: see [0045]); and

generating a report [a message indicating errors] identifying one or more

discrepancies between the entry packet and the internal records [indicating that the

entered classification does not match the records 175 of the classification database] (Li:

see [0047]).

Referring to claim 15, Li discloses the computer readable media of claim 14

wherein the report [message] is used to identify and correct errors relating to

importation [indicating that the entered classification does not match the records 175 of

the classification database and instructing the brokerage contact to resolve the

difference with the personnel of the buyer] (Li: see [0047]).

Referring to claim 16, Li discloses a system for auditing Harmonized Tariff

Schedule ("HTS") classifications, comprising:

a database [customs information system database] comprising internal records

relevant to HTS classifications [set of records 175 representing the buyers chosen

classifications for all the goods it imports] (Li: see [0036]);

a computer terminal [Buyer 133, Process Owner 201, Broker 155, Brokerage

Contact 199] (Li: Fig 2);

a user interface [web browser] accessible from the computer terminal (Li: see

[0010]); and

a software program suite [software modules related to customs information

system 121] coupled to the database and to the user interface (Li: see [0026], lines 2-4

and Fig 2), the software program suite configured to:

receive electronic entry packets [entire customs filing package] (Li: see

[0061], lines 4-8);

enable a user at the computer terminal to compare one of the entry

packets to the internal records (Li: see [0045] and [0061]); and

enable the user to generate a report [a message indicating errors]

comprising discrepancies between the one of the entry packets and the internal

records [indicating that the entered classification does not match the records 175

of the classification database] (Li: see [0047], lines 1-7).

Referring to claim 18, Li discloses the system of claim 16 wherein the report [a

message indicating errors] is used to identify [indicating that the entered classification

does not match the records 175 of the classification database] and correct errors

[instructing the brokerage contact to resolve the difference with personnel of the buyer]

relating to importation (Li: see [0047]).

Referring to claim 19, Li discloses the system of claim 16 wherein the report

comprises data containing a list of errors based on the identified discrepancies [the

message indicates that the entered classification does not match the records 175 of the

classification database] (Li: see [0047]).

Referring to claim 20, Li discloses the system of claim 16 further comprising a

second computer terminal [process owner] through which the user interface is

accessible (Li: see Fig 2).

Referring to claim 21, Li discloses the system of claim 20 wherein the second terminal is configured to enable a second user [process owner] to compare some of the entry packets to the internal records (Li: see [0061]).

Referring to claim 23, Li discloses the system of claim 16 wherein the software interface [web browser] comprises software navigational links [links on a website] (Li: see [0010] and [0039]).

Referring to claim 24, Li discloses an Harmonized Tariff Schedule ("HTS") classification method for auditing entry packets for U.S. Customs comprising:

inserting, using a software user interface, an entry packet into a database (Li: see [0022] and Fig 2);

comparing data in the entry packet to internal records [the records 175 of the classification database] located in the database (Li: see [0045] and [0047], lines 1-7);

identifying one or more errors between the data and the internal records (Li: see [0045] and [0047], lines 1-7); and

generating a report [message] comprising the errors (Li: see [0047], lines 1-7).

Referring to claim 26, Li discloses the method of claim 24 wherein the database further comprises a plurality of repositories (Li: see [0039], lines 1-5), including a repository for storing the entry packet and at least one repository for storing the internal records [Customs Information System 121] (Li: see [0039], lines 1-5).

Referring to claim 28, Li discloses the method of claim 24 wherein the comparing is performed by a user working for the importer [process owner] (Li: see [0061]).

Referring to claim 29, Li discloses the method of claim 24 wherein the report [a message indicating errors] is used to identify [indicating that the entered classification does not match the records 175 of the classification database] and correct discrepancies [instructing the brokerage contact to resolve the difference with personnel of the buyer] relating to importation (Li: see [0047]).

Referring to claim 30, Li discloses the method of claim 24 wherein the software user interface is accessible from a plurality of user terminals [Buyer 133, Broker 155, Brokerage Contact 199 and Process Owner 201] (Li: see [0023]).

Referring to claim 31, Li discloses the method of claim 24 wherein the entry packet is obtained from a customs broker [the brokerage contact is instructed to forward a copy of the entire customs filing package to the process owner] (Li: see [0061], lines 4-8).

Referring to claim 32, Li discloses the method of claim 24 wherein the inserting the entry packet is performed by an analyst working for the importer [personnel of the buyer] (Li: see [0022], lines 5-10).

Referring to claim 34, Li discloses an apparatus for auditing of Harmonized Tariff Schedule ("HTS") classification for U.S. Customs importation, comprising:

(i) a database comprising a plurality of repositories [Customs Information System 121] (Li: see [0039], lines 1-5 and Fig 2);

(ii) software user interface means [web browser] for accessing the database (Li:
see [0010]) comprising

(a) input means [Terminals 133, 201, 155 and 199 and Internet 131] for
entering entry packets [Customs Information] (Li: see [0027]; [0028]; and Fig 2);

(b) comparison means for comparing entry packets with internal records
[records 175 representing the buyers chosen classifications for all the goods it
imports] in some of the plurality of repositories (Li: see [0045]);

(c) report-generating means for creating reports [a message indicating
errors] identifying inconsistencies between the entry packets and the internal
records [indicating that the entered classification does not match the records 175
of the classification database] (Li: see [0047]); and

(iii) a plurality of remote terminals [Buyer 133, Process Owner 201, Broker 155
and Brokerage Contact 199] through which the software user interface is accessible by
one or more users (Li: see [0010] and Fig 2).

Referring to claim 35, Li discloses the apparatus of claim 34 wherein reports
[message] from the report-generating means are used to correct errors in importation
[indicating that the entered classification does not match the records 175 of the
classification database and instructing the brokerage contact to resolve the difference
with the personnel of the buyer] (Li: see [0047]).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

10.   **Claims 1-9 and 11-13 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over US PGPub 2002/0120561 to Chin et al (hereafter Chin) in view

of US PGPub 2003/0195815 to Li et al.

        Referring to claim 1, Chin discloses a method for Harmonized Tariff Schedule

("HTS") auditing using a software user interface and a database coupled to the software

user interface using one or more layers of executable code comprising:

receiving by an importer from a customs broker an entry packet submitted to U.S.

Customs, the entry packet containing information relating to a shipment for importation

(see [0061]; [0076]; and [0119]); and

entering, by the importer [user], the entry packet into a first repository in the

database [memory unit 16] (see Fig 3 and [0120]).

However, Chin fails to explicitly disclose the further limitations of consulting, by

the importer, a second repository in the database, the second repository containing

records relevant to a plurality of imported goods; comparing, by the importer, the entry

packet in the first repository with the records in the second repository; identifying, by the

importer, one or more discrepancies between the entry packet and the records; and

generating, by the importer, a report identifying the one or more discrepancies between

the entry packet and the records. Li discloses a method for auditing entry packets (see

abstract), including the further limitations of

consulting, by the importer, a second repository in the database, the second

repository containing records relevant to a plurality of imported goods (Li: see [0045]);

comparing, by the importer, the entry packet in the first repository with the

records in the second repository (Li: see [0045]);

identifying, by the importer, one or more discrepancies [the entered classification

does not match the records 175 of the classification database] between the entry packet

and the records (Li: see [0045] and [0047]); and

generating, by the importer, a report [a message indicating errors] identifying the

one or more discrepancies between the entry packet and the records [indicating that the

entered classification does not match the records 175 of the classification database] (Li:

see [0047]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the auditing method of Li to audit the entry packets of Chin. One

would have been motivated to do so since importers typically face significant financial

risk if any of the participants in the import process make an error (Chin: see [0022], lines

5-6).

Referring to claim 2, the combination of Chin and Li (hereafter Chin/Li)

discloses the HTS audit method of claim 1 wherein the report [a message indicating

errors] is used to identify [indicating that the entered classification does not match the

records 175 of the classification database] and correct errors [instructing the brokerage

contact to resolve the difference with the personnel of the buyer] relating to importation

(Li: see [0047]).

Referring to claim 3, Chin/Li discloses the HTS audit method of claim 1 wherein

the software user interface comprises links [links on a website] from the first repository

to the second repository (Chin: see [0019], lines 11-13).

Referring to claim 4, Chin/Li discloses the HTS audit method of claim 1 wherein

the entry packet is received by the importer from the customs broker in an electronic

format [electronic form] (Li: see [0061], lines 4-8).

Referring to claim 5, Chin/Li discloses the HTS audit method of claim 1 wherein

the entry packet comprises a 7501 Customs form (Chin: see [0120], lines 1-2).

Referring to claim 6, Chin/Li discloses the HTS audit method of claim 1 wherein the entry packet comprises a commercial invoice for the imported goods (Chin: see [0030], lines 7-9).

Referring to claim 7, Chin/Li discloses the HTS audit method of claim 1 wherein the entry packet comprises a shipping manifest [manifest] (Chin: see [0117] and [0124]).

Referring to claim 8, Chin/Li discloses the HTS audit method of claim 1 wherein the comparing the entry packet with the records comprises comparing HTS classifications assigned by the customs broker to HTS classifications stored in a product dictionary in the second repository (Li: see [0061]).

Referring to claim 9, Chin/Li discloses the HTS audit method of claim 1 wherein the comparing the entry packet with the records comprises comparing attribute classifications assigned by the customs broker to attribute classifications located in the second repository (Li: see [0061]).

Referring to claim 11, Chin/Li discloses the HTS audit method of claim 1 wherein the report [message] comprises data containing a list of errors based on the identified discrepancies [the message indicates that the entered classification does not match the records 175 of the classification database] (Li: see [0047]).

Referring to claim 12, Chin/Li discloses the HTS audit method of claim 1 wherein the entry packet comprises a Customs 7501 form (Chin: see [0120], lines 1-2), a commercial invoice (Chin: see [0030]), and a shipping manifest [manifest] (Chin: see [0117] and [0124]).

Referring to claim 13, Chin/Li discloses the HTS audit method of claim 1

wherein the identifying the one or more discrepancies is performed by a second user

[process owner] in a supervisory position over the importer [buyer] (Li: see [0047]).

11.   **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over US**

PGPub 2002/0120561 to Chin et al in view of US PGPub 2003/0195815 to Li et al as

applied to claim 1 above, and further in view of US PGPub 2003/0163447 to

Sandman (hereafter Sandman).

Referring to claim 10, Chin/Li discloses classification records. However, Chin/Li

fails to explicitly disclose the further limitation of wherein the records are organized in a

decision tree database. Sandman discloses classification records [HTSUS] (see

[0028]), including the further limitation wherein the records are organized in a decision

tree database [decision tree 130] (see [0036] and Fig 1) since a decision tree provides a

tool for easy classification of imported items, which does not require any knowledge of

the HTSUS by the end user.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to organize the records disclosed by Chin/Li in a decision tree database as

disclosed by Sandman. One would have been motivated to do so since a decision tree

provides a tool for easy classification of imported items, which does not require any

knowledge of the HTSUS by the end user (Sandman: see [0032], lines 1-3), therefore

decreasing errors in classification of items.

12.   Claims 17, 27, 33 and 36 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US PGPub 2003/0195815 to Li et al as applied respectively to

claims 16, 26, 24 and 34 above, and further in view of US PGPub 2003/0163447 to

Sandman (hereafter Sandman).

Referring to claim 17, Li discloses internal classification records. However, Li

fails to explicitly disclose the further limitation of wherein the internal records are

organized in a decision tree database. Sandman discloses classification records

[HTSUS] (see [0028]), including the further limitation wherein the internal records are

organized in a decision tree database [decision tree 130] (see [0036] and Fig 1) since a

decision tree provides a tool for easy classification of imported items, which does not

require any knowledge of the HTSUS by the end user.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to organize the records disclosed by Li in a decision tree database as

disclosed by Sandman. One would have been motivated to do so since a decision tree

provides a tool for easy classification of imported items, which does not require any

knowledge of the HTSUS by the end user (Sandman: see [0032], lines 1-3), therefore

decreasing errors in classification of items.

Referring to claim 27, Li discloses classification records located in at least one

repository. However, Li fails to explicitly disclose the further limitation of wherein one of

the at least one repository comprises a decision tree database of HTS classifications.

Sandman discloses classification records [HTSUS] (see [0028]), including the further

limitation wherein one of the at least one repository comprises a decision tree database

of HTS classifications [decision tree 130] (see [0036] and Fig 1) since a decision tree

provides a tool for easy classification of imported items, which does not require any

knowledge of the HTSUS by the end user.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to organize the records disclosed by Li in a decision tree database as

disclosed by Sandman. One would have been motivated to do so since a decision tree

provides a tool for easy classification of imported items, which does not require any

knowledge of the HTSUS by the end user (Sandman: see [0032], lines 1-3), therefore

decreasing errors in classification of items.

Referring to claim 33, Li discloses internal classification records. However, Li

fails to explicitly disclose the further limitation of wherein the internal records are

organized in an internal-to-commodity map. Sandman discloses classification records

[HTSUS] (see [0028]), including the further limitation wherein the internal records are

organized in an internal-to-commodity map [decision tree 130 which is organized based

on a importers needs] (see [0036] and Fig 1) since a decision tree provides a tool for

easy classification of imported items, which does not require any knowledge of the

HTSUS by the end user.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to organize the records disclosed by Li in a decision tree database as

disclosed by Sandman. One would have been motivated to do so since a decision tree

provides a tool for easy classification of imported items, which does not require any

knowledge of the HTSUS by the end user (Sandman: see [0032], lines 1-3), therefore

decreasing errors in classification of items.

Referring to claim 36, Li discloses internal classification records. However, Li

fails to explicitly disclose the further limitation of wherein the internal records are

organized in a decision tree database. Sandman discloses classification records

[HTSUS] (see [0028]), including the further limitation wherein the internal records are

organized in a decision tree database [decision tree 130] (see [0036] and Fig 1) since a

decision tree provides a tool for easy classification of imported items, which does not

require any knowledge of the HTSUS by the end user.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to organize the records disclosed by Li in a decision tree database as

disclosed by Sandman. One would have been motivated to do so since a decision tree

provides a tool for easy classification of imported items, which does not require any

knowledge of the HTSUS by the end user (Sandman: see [0032], lines 1-3), therefore

decreasing errors in classification of items.

13.   **Claims 22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PGPub 2003/0195815 to Li et al as applied respectively to claims 16 and 24 above, and further in view of US PGPub 2002/0120561 to Chin et al.**

Referring to claim 22, Li discloses entry packets. However, Li fails to explicitly disclose the further limitation wherein the entry packets comprise a Customs 7501 form, a commercial invoice and a shipping manifest. Chin discloses entry packets, including the further limitation wherein the entry packets comprise a Customs 7501 form (Chin: see [0120], lines 1-2), a commercial invoice (Chin: see [0030], lines 7-9), and a shipping manifest [manifest] (Chin: see [0117] and [0124]) since these are examples of standard U.S. Customs forms required in order to import goods into the U.S..

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the entry packets disclosed by Chin as the entry packets of Li. One would have been motivated to do so in order to import goods into the U.S., since Customs 7501 form, a commercial invoice, and a shipping manifest are standard US Customs forms.

Referring to claim 25, Li discloses entry packets. However, Li fails to explicitly disclose the further limitation wherein the entry packet comprises a Customs 7501 form. Chin discloses entry packets, including the further limitation wherein the entry packet comprises a Customs 7501 form (Chin: see [0120], lines 1-2) since this form is a standard U.S. Customs form required in order to import goods into the U.S..

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the entry packets disclosed by Chin as the entry packets of Li. One

would have been motivated to do so in order to import goods into the U.S., since

Customs 7501 form, a commercial invoice, and a shipping manifest are standard US

Customs forms.

Response to Arguments

14.   Applicant's arguments filed in response to the prior art rejections of claims 1-36

have been fully considered but they are not persuasive.

15.   In regards to applicants' arguments on page 14 concerning claim 14, applicants

state: The Examiner's citation to Li suggests that there may be a misunderstanding

about what is meant in claim 14 by the phrase "entry packet." As explained in

paragraph [0080] of the specification, an "entry packet" is the comprehensive

information that the customs broker submitted to U.S. Customs.

The examiner respectfully disagrees. Li discloses submitting the customs

information as customs documents to the customs authority (see [0029], lines 6-7). The

customs authority regulates the documentation required for the importation of goods.

Therefore, since the customs information of Li represents the required documentation of

the customs authority, it is considered to be analogous to the entry packet of the

present application.

The applicants also state: The audit that Li taught was of information that was

provided to the customs broker which the customs broker then used to prepare the final

customs documents, not the final customs documents themselves as required by claim

14. ... Indeed, Li taught only a given percentage of the entire customs filing package

should be reviewed, see [0061], thus meaning that large portions of the entry packet
were not reviewed. Unlike claim 14, Li did not disclose that the entire entry packet
should be reviewed or that the review should be done by entering the entry packet into
a database.

The examiner respectfully disagrees. Li states in [0061] the following, "Under
this criterion, a given percentage e.g., 2% of all entries are selected for a through
review. The preferred action associated with the random selection criterion is to send a
message to the brokerage contact 193, instructing the brokerage contact to forward a
copy of the entire customs filing page (in either paper or electronic form) to the process
owner." Selecting 2% of all entries [entry packets] is interpreted by the examiner as
auditing 2% of all submitted entry packets and not as auditing 2% of the documents
contained within a single entry packet. Furthermore, Li states in [0061] "The preferred
action associated with the random selection criterion is to send a message to the
brokerage contact 193, instructing the brokerage contact to forward a copy of the entire
customs filing package (in either paper or electronic form) to the process owner." If the
copy of the entire filing package is in paper form, then it is inherent that the paper form
would have to be converted into electronic form (i.e., entering the form into the
database) in order for the audit module to operate on the forms. Furthermore, Li states
in [0061], "This allows the process owner to verify the broker's work, and thereby to
monitor and report on the frequency of correction instituted on erroneous customs
information. In resolving any issues discovered in the review, the buyer (or the
brokerage) might end up filing additional customs documents correcting any prior error

and paying additional duties or requesting the refund of duties." Thus, if after the audit

the broker has to file additional forms to correct errors and pay additional duties or

request refund of duties, the customs forms would have to have been filed by the broker

before the audit and not after. Nonetheless, if the audit module has the functionality of

performing an audit on the customs forms, the module itself is not required to be altered

in any way to perform an audit depending on whether or not the forms have already

been sent to the customs authority.

16.   In regards to applicants' arguments on page 15 concerning claim 32, applicants

state: The paragraph [0022] cited by the Examiner merely stated that "personnel" of the

buyer might indirectly enter "customs information." The text did not state that any of the

"personnel" was an analysts or that the customs information was the information placed

into the entry packet, as required by claim 32.

        The examiner agrees that the text does not state that the personnel of the buyer

is an analyst. However, the personnel of the buyer has the same capability as required

by the claimed analysts and therefore is considered to be analogous to the analyst. In

this instance, the analysts does not have certain capabilities or access rights that would

prevent the personnel of the buyer from performing the same actions as the analyst.

17.   In regards to the applicants' arguments on pages 15-17 concerning claim 1, the

examiner respectfully disagrees. Paragraph [0035] of Chin states that multiple users

can access the computer system, including importers and brokers. There, both the

importers and brokers disclosed by Chin are considered to have the capabilities to

perform the functions of the present invention. Also, the capability of being able to view

the data on a computer screen is considered to represent receiving the information. In

regards to the arguments concerning the limitations taught by Li, refer to the examiner's

arguments concerning claim 14 noted above.

18. In regards to applicants' arguments on page 18 and 19 concerning claims 5, 12,

22 and 25, applicants state: The portion of Chen that the Examiner cited ([0120]) merely

stated that the Entry Summary Document" corresponds to form 7501, not that the

information was actually on the form 7501 was copied into the customs system, as

required by claims 5 and 12.

The examiner respectfully disagrees. The claim language states "wherein the

entry packet comprises a 7501 Customs form." Li discloses a "File An Entry Summary

Document" which is considered to be included in the customs information. The

document corresponds to the U.S. Customs form 7501. Therefore, the customs

information [entry packet] is considered to include the 7501 Customs form which is a

standard form required by the customs authority.

19. In regards to applicants' arguments on page 18 concerning claim 9, applicants

state: Claim 9 requires attribute classifications to be compared.

Paragraph [0061] of Li teaches auditing the records to determine whether or not

correct information has been entered. Paragraph [0033] of Li states that the records

can include a special program indicator, for indicating that a product is qualified for reduced duties under a special trade program such as NAFTA. According to [0009], lines 4-7 of the Applicants' specification, NAFTA certificates can represent product attributes.

Conclusion

20.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Lovel whose telephone number is (571) 272-2750. The examiner can normally be reached on 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimberly Lovel
Examiner
Art Unit 2167

24 June 2007

JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100